

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David R. Hembree

Serial No.: 10/624,332

Filed: July 22, 2003

For: CHIP ON BOARD AND HEAT SINK
ATTACHMENT METHODS

Confirmation No.: 6977

Examiner: C. Lee

Group Art Unit: 2812

Attorney Docket No.: 2269-3592.8US
(97-0321.08/US)

VIA ELECTRONIC FILING
May 16, 2007

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the Notice of Allowance mailed February 21, 2007 and sets forth Applicant's comments, pursuant to 37 C.F.R. §1.104(e), on the Examiner's Statement of Allowable Subject Matter accompanying the Notice of Allowance.

In the Notice of Allowance, the Examiner indicates:

Claim 1 recites placing a compliant adhesive-filled gel silicone elastomer between a portion of an upper surface of the semiconductor die and a portion of a lower surface of the heat sink cap, the heat sink cap surrounding the semiconductor die, the heat sink cap having a side wall having a hole therein. Claim 3 recites positioning a compliant adhesive-filled gel silicone elastomer between the semiconductor die and the cap, the cap surrounding the semiconductor die, the

heat sink cap having a side wall having a hole therein. Claim 5 recites providing a compliant adhesive-filled gel silicone elastomer between a portion of an upper surface of the semiconductor die and a portion of a lower surface of the heat sink cap for engaging the semiconductor die and heat sink cap in compliant removable adhesion for abutting the edge of the heat sink cap to the substrate, the heat sink cap surrounding the semiconductor die, the heat sink cap having a side wall having a hole therein. These features in combination with the other elements of the claim are neither disclosed nor suggested by the prior art of record.

Claims 2, 4 and 6 variously depend from claim 1, 3 or 5, so they are allowed for the same reason.

Applicant concurs with the reasons as stated by the Examiner insofar as they comprise a summary, which is exemplary and not limiting. However, the scope of the claims is based on the actual language of the claims and equivalents thereof, and not on a paraphrase or summary of the claim language.

The Independent claims as allowed recite features and methodology in addition to, and in different language than, those described in the Statement of Allowable Subject Matter. Furthermore, the dependent claims recite elements in addition to those of the independent claims, which are also not reflected in the Statement of Allowable Subject Matter. Such additional elements, in combination with those of the independent claims from which each claim depends, provide additional reasons for patentability. Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as all equivalents thereof.

Therefore, to the extent that the Examiner's reasons for allowance as stated are not relevant to, or wholly encompassing of, a particular claim, independent or dependent, Applicant assumes that (pursuant to 37 C.F.R. §1.104(e)) the Examiner has determined that the record of the prosecution as a whole of the application makes clear the reasons for allowing those claims.

Further, it appears, pursuant to M.P.E.P. 1302.14, that the Examiner's Statements of Allowable Subject Matter are not intended to encompass all of the reasons for allowance.

Respectfully submitted,



James R. Duzan
Registration No. 28,393
Attorney for Applicant
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: May 16, 2007
JRD/dlm

Document in ProLaw